

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JULIE LYNN CARPER,

Plaintiff,

v.

SHARON MAULER, Clerk of the  
District Court, as an elected official,  
and LANET ASMUSSEN, Clerk of  
the Supreme Court, as an appointed  
official,

Defendants.

4:12CV3229

**MEMORANDUM  
AND ORDER**

This matter is before the court on Plaintiff Julie Lynn Carper's ("Plaintiff") Motion to Demand Answer (Filing No. [21](#)), Motion for Default Judgment (Filing No. [22](#)), "Motion for Expedited Preliminary Hearing Injunctive Relief" (Filing No. [24](#)), and Motion to Compel Answer (Filing No. [31](#)). In Plaintiff's Motion to Demand Answer, Motion for Default Judgment, and Motion to Compel Answer, Plaintiff asks the court to compel Defendants to file an answer to her Complaint. Also pending are Defendants' Motions to Strike, in which they ask the court to strike Plaintiff's Motions. (Filing Nos. [25](#) and [27](#).) Upon careful consideration,

IT IS ORDERED that:

1. Plaintiff's Motion to Demand Answer (Filing No. [21](#)), Motion for Default Judgment (Filing No. [22](#)), and Motion to Compel Answer (Filing No. [31](#)) are denied because Defendants have properly filed Motions to Dismiss under Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. (See Filing Nos. [12](#) and [15](#).) Accordingly Defendants need not file an answer or other responsive pleading unless the court denies Defendants' Motions to Dismiss.

2. Plaintiff's "Motion for Expedited Preliminary Hearing Injunctive Relief" (Filing No. [24](#)) is denied because it is frivolous and nonsensical. **Plaintiff is cautioned against filing frivolous motions.** Filing frivolous motions could result in further action by this court, including sanctions.

3. Defendants' Motions to Strike (Filing Nos. [25](#) and [27](#)) are denied.

DATED this 22nd day of February, 2013.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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